

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY M. HERRERA,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

No. 2:24-cv-1660 DJC CSK P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is plaintiff's motion for extension of time filed September 3, 2024. (ECF No. 17.) Plaintiff requests a sixty day extension of time to file "everything the courts are requesting." (*Id.* at 1.)

The only pending deadline in the instant action is addressed in the order filed July 26, 2024. (ECF No. 12.) In this order, this Court dismissed all claims, but for the Eighth Amendment claims against defendants Akins, Mayfield, and Raubery. (*Id.* at 7.) Plaintiff was granted thirty days to either file an amended complaint or return the form attached to the July 26, 2024 order reflecting plaintiff's choice to proceed solely as to the potentially colorable claims against defendants Akins, Mayfield and Raubery. (*Id.*)

Good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for extension of time (ECF No. 17) is granted;

1           2. Plaintiff is granted sixty days from the date of this order to either file an amended  
2 complaint or return the form attached to the July 26, 2024 order reflecting plaintiff's choice to  
3 proceed solely as to the potentially colorable claims against defendants Akins, Mayfield and  
4 Raubery; and

5           3. Failure to comply with this order will result in a recommendation of dismissal of this  
6 action.

7  
8 Dated: September 6, 2024

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10 CHI SOO KIM  
11 UNITED STATES MAGISTRATE JUDGE

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